

APPROVED 9-12-11
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, August 1, 2011 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

James J. Giulietti, Chairman
Theresa Ranciato-Viele, Vice Chairman
Brian R. Cummings, Secretary
Douglas E. Roberts
Vern E. Carlson
Curtis Andrews, Sr., Alternate
Richard E. Wilson, Alternate
Edward M. Homa, Alternate

MEMBERS ABSENT: None

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Jennifer Coppola, Town Attorney
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Giulietti, Chairman, opened the meeting at 7:06 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then he explained the procedure for the Public Hearing and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that there were none.

The Commission elected to enter into Executive Session before hearing tonight's applications. All were in favor.

OTHER: Mr. Cummings read into the record the following items:

1. Discussion of the status of the pending litigation and proposed Motion to Approve Settlement in CMB Capital Appreciation LLC v. Town of North Haven Planning and Zoning Commission, and possible action relating to same.
2. Consideration of whether to convene in executive session to discuss the status of pending litigation and proposed Motion to Approve Settlement in CMB Capital Appreciation LLC v. Town of North Haven Planning and Zoning Commission.

Mr. Carlson moved to go into Executive Session at 7:08 PM; Mr. Roberts seconded the motion. The Commission invited Jennifer Coppola, Town Attorney, Mr. Jonathan Bodwell, Town Engineer and Mr. Alan Fredricksen, Land Use Administrator, into Executive Session. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

Mr. Roberts moved to go out of Executive Session at 7:38 PM; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

PUBLIC HEARINGS:

Mr. Cummings read the call for the Public Hearing.

1. #P11-20 Application of Giacomo Tolomeo, Esquire, Applicant, proposed amendment to the North Haven Zoning Regulations, to add Section 2.6.1, Uses Permitted In Mixed Use Districts. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

Attorney Giacomo Tolomeo, applicant, presented the amendment to add Section 2.6.1. Uses Permitted In Mixed Use Districts. He distributed a proposed amendment packet to the Commission. He then described the proposed area for the zone change, reviewed the restrictions and discussed the benefits this zone change would have to the town. The Commission asked questions and Attorney Tolomeo responded. Mr. Giulietti stated that he has concerns with the language of the proposed amendment and would like the Town Attorney to review it.

Mr. Giulietti asked for public comment. There was no public comment.

The Commission suggested to continue the Public Hearing to next month in order to give the Town Attorney time to review the language of the proposed amendment.

Mrs. Ranciato-Viele moved to continue the Public Hearing to the September 12, 2011 meeting; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

SITE PLANS:

2. #P11-24 Site Plan Application of George Mastromanolis, Owner and Applicant, relative to 346 State Street, (Map 34, Lot 105). Plan Entitled: Improvement Location Survey, Prepared for Spyridon and Evangelos Angelopoulos, State Street, (Route 5), North Haven, CT. Prepared by Savarese and Schefiliti, P.C., Dated 5/17/11. Scale 1" = 20'. CB-40 Zoning District.

Mr. Denis Ouimette, Architect, presented the application to permit a front porch for a proposed restaurant. The Commission asked questions and Mr. Ouimette responded. Mr. Giulietti has concerns with the survey submitted by the applicant being an actual A-2 survey and the violations on the site. Mr. Ouimette and George and Foula Mastromanolis, owners, answered questions from the Commission. Mr. John Papakus, relative of the applicant, also responded to the Commission's questions.

3. #P11-25 Site Plan Application of John F. Murphy, Applicant, 19 Peck Street, LLC, Owner, relative to 19 Peck Street, (Map 67, Lot 7). Plan Entitled: Property of 19 Peck Street, LLC, #19 Peck Street, North Haven, Connecticut. Prepared by James E. Nagle, L.S., Dated 5/21/11. Scale 1" = 10'. CA-20 Zoning District.

Mr. Victor Benni, Civil Engineer, presented the application to permit the construction of an approximately 220 square feet addition on the North side of this approximately 925 square feet building, and the addition of a second floor to the entire building. On July 28, 2011, the Zoning Board of Appeals approved front and side yard variances and granted permission to enlarge the existing non-conforming building.

Mr. Benni described the site in its current state and the improvements being proposed. He then addressed the Town staff comments and answered questions from the Commission. Mr. Fredricksen, Land Use Administrator, also addressed questions from the Commission regarding a previous bond for this property.

4. #P11-26 Site Plan Application of Vincent Longobardi, Applicant, 110 Washington Avenue Limited Partnership, Owner, relative to 116 Washington Avenue, (Map 73, Lot 96). Plan Entitled: Proposed Handicap Ramp, 116 Washington Avenue, North Haven, Connecticut. Prepared by Vincent C. Amore, Architect. Dated June 7, 2011. Scale 3/32" = 1'-0". CB-20 Zoning District.

Mr. Douglas J. Roberts, Architect, and Mr. Steven Longobardi, applicant, presented the application to permit the addition of a handicapped ramp to the north side of this existing building, and the restriping of the parking in the ramp area to add six handicapped parking spaces. Mr. Giulietti questioned the presence of two dumpsters that are blocking parking spaces. Mrs. Ranciato-Viele asked about an enclosure for the dumpsters and the proposed islands from a previous approval. The Commission asked questions and Mr. Roberts and Mr. Longobardi responded.

CHANGE OF USE:

460 Washington Avenue

Ms. Julie Diglio and Ms. Anita Diglio, owner, presented the Change of Use from an office to a service (bakery).

Mrs. Ranciato-Viele moved to approve the Change of Use from an office to a service (bakery); Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

OTHER:**3. 375 Washington Avenue**

Mr. Bill Lovelace and Ms. Courtney Billings, applicants, presented the Change of Use from service to a haunted house. Mr. Giulietti has concerns regarding parking, traffic and the use of the actual building. The business will be in operation for only one month. Hours of operation will be Thursday through Sunday from 7:00 p.m. – 11:00 p.m.

Mr. Roberts moved to approve the Change of Use from office/warehouse to a haunted house subject to Police and Fire approvals and the removal of all existing trailers on the site; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

4. 52-58 Washington Avenue- Cherry Trees

Mr. Walter Brocket of the Garden Club stated that the Garden Club has agreed to the planting of five (5) 4” caliper Cherry trees on the east side of the sidewalk. Mr. Giulietti questioned the maintaining of the trees and stated that the owner should be responsible for maintaining the trees.

Mr. Roberts moved to approve modifying the site plan to depict the approved Cherry trees; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

Mr. Mike Zulawski of 101 Powdered Metals Drive addressed the Commission regarding a bond that was set for a project located at 101 Powdered Metals Drive at a previous Planning & Zoning meeting. Mr. Giulietti suggested submitting an application to this Commission to see if this bond amount could be reduced.

BREAK: 9:25 – 9:38 PM

DELIBERATION SESSION:

Mr. Roberts moved to go into deliberations; Mrs. Ranciatio-Viele seconded the motion. All were in favor.

SITE PLANS:**2. #P11-24 Site Plan Application of George Mastromanolis, Owner and Applicant, relative to 346 State Street.**

Mr. Carlson moved to continue the application to the September 12, 2011 meeting but to allow the applicant to obtain building permits needed to finish interior and exterior work. A Certificate of Occupancy will not be issued until the applicant comes to the September 12, 2011 meeting with a plan to resolve the current violation on this site; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

The application was continued to the September 12, 2011 meeting.

3. #P11-25 Site Plan Application of John F. Murphy, Applicant, 19 Peck Street, LLC, Owner, relative to 19 Peck Street.

Mrs. Ranciato-Viele moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye Homa – aye

The application was approved with conditions.

4. #P11-26 Site Plan Application of Vincent Longobardi, Applicant, 110 Washington Avenue Limited Partnership, Owner, relative to 116 Washington Avenue, (Map 73, Lot 96). Plan Entitled: Proposed Handicap Ramp.

Mr. Roberts moved to approve the application. Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

The application was approved with conditions.

INFORMAL PRESENTATION: None

EXTENSIONS: None

BOND RELEASES & REDUCTIONS:

Antonio's Restaurant, 528 Washington Avenue

Mrs. Ranciato-Viele asked if Antonio's Restaurant posted their bond. Mr. Fredricksen stated that the bond has not been posted. Mr. Giulietti suggested sending a letter to Mr. Antonio Occhibove, owner, asking him to post the bond.

CORRESPONDENCE: - City of New Haven - Zoning Ordinance Text Amendments
-Model Delay of Demolition Ordinance

MINUTES:

June 30, 2011 – Planning Forum

Mr. Carlson moved to approve the minutes of the June 30, 2011 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

June 30, 2011 – CMB Capital Management, LLC

Mr. Carlson moved to approve the minutes of the June 30, 2011 meeting; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

July 11, 2011

Mr. Carlson moved to approve the minutes of the July 11, 2011 meeting; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson –aye

ADJOURN:

There being no further business, Mrs. Ranciato-Viele moved to adjourn; Mr. Cummings seconded the motion. The meeting was adjourned at 10:10 PM.